08-13555-mg Doc 37807 Filed 06/06/13 Entered 06/06/13 18:47:30 Main Document Pq 1 of 6

Presentment Date and Time: June 13, 2013 at 10:00 a.m. (Prevailing Eastern Time)
Objection Deadline: June 12, 2013 at 12:00 noon (Prevailing Eastern Time)
Hearing Date and Time (Only if Objection Filed): June 27, 2013 at 10:00 a.m. (Prevailing Eastern Time)

WEIL, GOTSHAL & MANGES LLP

767 Fifth Avenue

New York, New York 10153 Telephone: (212) 310-8000 Facsimile: (212) 310-8007

Garrett A. Fail

Attorneys for Lehman Brothers Holdings Inc. and Certain of Its Affiliates

#### UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

\_\_\_\_\_

In re : Chapter 11 Case No.

LEHMAN BROTHERS HOLDINGS INC., et al., : 08-13555 (JMP)

**:** 

Debtors. : (Jointly Administered)

# NOTICE OF PRESENTMENT OF SUPPLEMENTAL ORDER GRANTING DEBTORS' EIGHTY-NINTH OMNIBUS OBJECTION TO CLAIMS (NO LIABILITY CLAIMS)

PLEASE TAKE NOTICE that the undersigned will present the annexed Supplemental Order Granting Debtors' Eighty-Ninth Omnibus Objection to Claims (No Liability Claims) (the "Order") to the Honorable James M. Peck, United States Bankruptcy Judge, for signature on June 13, 2013 at 10:00 a.m. (Prevailing Eastern Time).

**PLEASE TAKE FURTHER NOTICE** that unless a written objection to the Order with proof of service is served and filed with the Clerk of the Court and a courtesy copy is delivered to the Bankruptcy Judge's chambers and the undersigned so as to be received by **June 12, 2013 at 12:00 noon (Prevailing Eastern Time)**, there will not be a hearing and the Order may be signed.

**PLEASE TAKE FURTHER NOTICE** that if a written objection is timely served and filed, a hearing (the "Hearing") will be held to consider the Order on **June 27, 2013 at 10:00 a.m.** (**Prevailing Eastern Time**) before the Honorable James M. Peck, United States Bankruptcy Judge, at the United States Bankruptcy Court, Alexander Hamilton Custom House, Courtroom 601, One Bowling Green, New York, New York 10004.

**PLEASE TAKE FURTHER NOTICE** that objecting parties are required to attend the Hearing, and failure to appear may result in relief being granted or denied upon default.

Dated: June 6, 2013 New York, New York

/s/ Garrett A. Fail
Garrett A. Fail
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, New York 10153
Telephone: (212) 310-8000
Facsimile: (212) 310-8007

Attorneys for Lehman Brothers Holdings Inc. and Certain of Its Affiliates

#### UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

-----X

In re : Chapter 11 Case No.

LEHMAN BROTHERS HOLDINGS INC., et al., : 08-13555 (JMP)

Debtors. : (Jointly Administered)

-----X

### SUPPLEMENTAL ORDER GRANTING DEBTORS' EIGHTY-NINTH OMNIBUS OBJECTION TO CLAIMS (NO LIABILITY CLAIMS)

Upon the eighty-ninth omnibus objection to claims, dated February 11, 2011 (the "Eighty-Ninth Omnibus Objection to Claims"), of Lehman Brothers Holdings Inc. and its affiliated debtors in the above-referenced chapter 11 cases, as debtors and debtors in possession (collectively, the "Debtors"), pursuant to section 502(b) of title 11 of the United States Code (the "Bankruptcy Code"), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure, and this Court's order approving procedures for the filing of omnibus objections to proofs of claim [Docket No. 6664], seeking disallowance and expungement of the No Liability Claims on the grounds that they seek to recover for securities that were neither issued nor guaranteed by the Debtors, all as more fully described in the Eighty-Ninth Omnibus Objection to Claims; and due and proper notice of the Eighty-Ninth Omnibus Objection to Claims having been provided; and it appearing that no other or further notice need be provided; and each of the holders of the No Liability Claims listed on Exhibit 1 attached hereto having failed to file a responsive pleading to the Eighty-Ninth Omnibus Objection to Claims and serve a responsive pleading on the Debtors' counsel; and the Court having found and determined that the relief sought in the Eighty-Ninth Omnibus Objection to Claims is in the best interests of the Debtors, their estates, creditors, and all parties in interest and that the legal

<sup>1</sup> 

<sup>&</sup>lt;sup>1</sup> Capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to such terms in the Debtors' Eighty-Ninth Omnibus Objection to Claims.

08-13555-mg Doc 37807 Filed 06/06/13 Entered 06/06/13 18:47:30 Main Document Pg 4 of 6

and factual bases set forth in the Eighty-Ninth Omnibus Objection to Claims establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Eighty-Ninth Omnibus Objection to Claims is granted to the extent provided herein; and it is further

ORDERED that, pursuant to section 502(b) of the Bankruptcy Code, the No Liability Claims listed on Exhibit 1 annexed hereto are disallowed and expunged in their entirety with prejudice; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated:			,	2013
	New	York,	New	York

UNITED STATES BANKRUPTCY JUDGE

#### Exhibit 1

08-13555-mg Doc 37807 Filed 06/06/13 Entered 06/06/13 18:47:30 Main Document

# Pg 6 of 6 IN RE LEHMAN BROTHERS HOLDINGS, INC., ET AL., CASE NO: 08-13555 (JMP)

#### **OMNIBUS OBJECTION 89: EXHIBIT 1 – NO LIABILITY CLAIMS**

	NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	TOTAL CLAIM DOLLARS	REASON FOR PROPOSED DISALLOWANCE
1	BPI OBRIGACOES DE ALTO RENDIMENTO DE ALTO RISCO DE OBRIGACOES DE TAXA FIXA (BPI OARAR) LARGO JEAN MONET, NO. 11, 5 LISBOA, 1250-049 PORTUGAL	08-13555 (JMP)	Lehman Brothers Holdings Inc.	10/30/2009	57662	\$170,000.00	No Liability Claim
2	BPI REFORMA INVESTIMENTO PPR LARGO JEAN MONET, NO. 11, 5 LISBOA, 1250-049 PORTUGAL	08-13555 (JMP)	Lehman Brothers Holdings Inc.	10/30/2009	57657	\$2,750,000.00	No Liability Claim
					TOTAL	\$2,920,000,00	